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UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

University of Jerusalem "Al-Quds" for Palestine refugees

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 46/46 J of 9 December 1991, the operative part of which reads as follows:

"The General Assembly,

"...

"1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

"2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem 'Al-Quds', in accordance with Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

"3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem 'Al-Quds';

"4. Also requests the Secretary-General to report to the General Assembly at its forty-seventh session on the progress made in the implementation of the present resolution."

2. It will be recalled that the General Assembly first considered the establishment of the proposed university at its thirty-fifth session. At that session it adopted, on 3 November 1980, resolution 35/13 B, in paragraph 5 of which it requested:

> "the Secretary-General, in coordination with the Council of the United Nations University, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Educational, Scientific and Cultural Organization, to study ways and means of establishing at Jerusalem a university of arts and sciences to cater to the needs of Palestine refugees in the area, under the aegis of the United Nations".

3. Since then, the General Assembly has adopted 11 further resolutions on the subject (36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 5 December 1983, 39/99 K of 14 December 1984, 40/165 K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990 and 46/46 J of 9 December 1991) and the Secretary-General has submitted 10 reports (A/37/599, A/38/386, A/39/528, A/40/543, A/41/457, A/42/309, A/43/408, A/44/474, A/45/530 and A/46/540) on the steps he has taken in pursuance of those resolutions, including his efforts to prepare the functional feasibility study on establishing the proposed university that was first requested by the Assembly in its resolution 36/146 G. The position of the Government of Israel in regard to the establishment of the university is also set out in those reports.

4. As the Secretary-General has previously indicated (see A/41/457, para. 4), he believes that, in order to comply with the request addressed to him by the General Assembly, it will be necessary to complete the functional feasibility study initiated in pursuance of previous Assembly resolutions. To that end, after Assembly resolution 46/46 J was adopted, the Secretary-General again sought the assistance of the Rector of the United Nations University, who, at his request, made available a highly qualified expert, Dr. Mihaly Simai, to assist in the preparation of the study. The expert was to visit the area and meet with the competent Israeli officials, bearing in mind that Israel exercises effective authority in the area concerned.

5. In a note verbale dated 15 September 1992 addressed to the Permanent Representative of Israel to the United Nations, the Secretary-General, with reference to the request addressed to him by the General Assembly, requested that the Government of Israel facilitate the visit of the expert, which would take place at a mutually convenient date. Recalling the position taken by the Government of Israel concerning the proposed university, as well as the clarifications already given by the Secretariat to the questions raised by the Israeli authorities (see A/36/593, annex), the Secretary-General expressed the opinion that such questions could be best discussed on the occasion of the visit of the United Nations expert.

6. On 23 October 1992, the Permanent Representative of Israel sent the following reply to the Secretary-General:

> "In this connection, the Permanent Representative would like to recall his note of 30 June 1992 1/ addressed to the Secretary-General, in which the position of the Government of Israel concerning resolution 46/46 J was clarified.
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> "The Government of Israel has voted consistently against the above-mentioned resolution and its position remains unchanged. Accordingly, the Government of Israel is of the opinion that the proposed visit of Dr. Mihaly Simai to Israel would not serve any useful purpose."

7. In view of the position taken by the Government of Israel, it has not been possible to complete the functional feasibility study on the proposed university at Jerusalem as planned.

Notes

1/ The note in question addressed several resolutions, many of which have been the subject of other reports of the Secretary-General. With respect to General Assembly resolution 46/46 J, the note of 30 June 1992 said:

> "The position of the Government of Israel on this subject was clarified in a statement by the representative of Israel on 15 December 1983 (A/38/PV.98); in a letter of the Permanent Representative of Israel dated 22 May 1984 to then Under-Secretary-General Mr. Brian Urquhart; in successive notes verbale of the Permanent Representative of Israel to the Secretary-General, the last of which was dated 2 July 1991; and in the report of the Secretary-General (A/46/540).
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> "The Government of Israel has voted consistently against this resolution for reasons outlined in the aforementioned statement and documents and its position remains unchanged. It is clear that the sponsors of resolution 46/46 J seek to exploit the field of higher education in order to politicize issues totally extraneous to genuine academic pursuits. Accordingly, the Government of Israel is unable to assist in taking this matter further."